

Claim 20. (new) The method of claim 19 wherein the second first buried semiconductor layer is a subcollector of the second bipolar transistor.

## REMARKS

### Status of the Application

Claims 1-20 are pending in this application. In the January 27, 2005 office action, the Examiner:

1. Required the Applicants to elect a single disclosed invention for prosecution on the merits;
2. Required the Applicants to elect a single disclosed species for prosecution on the merits to which claims would be restricted if no generic claim is finally held to be allowable; and
3. Identified Species 1 as being directed to the embodiment of Fig. 1, Species 2 as being directed to the embodiment of Fig. 2, Species 3 as being directed to the embodiment of Fig. 3, Species 4 as being directed to the embodiment of Fig. 4, and Species 5 as being directed to the embodiment of Fig. 7.

In this response, Applicants have amended elected Invention II, which encompasses the method claims. Applicants have further amended claims 1, 3, 5, 7, 9 and 10 to be directed to method claims. Applicants have canceled claims 2, 4, 8 and 11, without prejudice. Finally, applicants have elected Species 2. The applicants have

identified that at least claims 1, 3, 5, 7, 9, 10, 12-16 and 18-20 read on the elected species. Claims 1, 3, 5, 9 and 10 are generic to all species. Claim 12 is generic to Species 2, 3 and 4.

## II. Explanation of Election of Invention II and the Amendments

The Examiner divided the case into two inventions, invention I (semiconductor device) and invention II (process for making semiconductor devices). Invention I included claims 1-7 and Invention II included claims 8-20. Applicants elected Invention II.

Claim 1 has been amended such that it is a method that is similar to claim 8 as amended. Accordingly, claim 1 is now a method claim and properly falls into Invention II. Claims 3, 5 and 7 have similarly been amended to be directed to methods of Invention II. Claim 6 has been withdrawn.

Accordingly, it is respectfully submitted that claims 1, 3, 5 and 7, as amended, are properly a part of the elected invention, Invention II.

## III. Explanation of Election of Species 2

Species 2 encompasses the embodiment of Fig. 2. Fig. 2 essentially shows an embodiment that incorporates two bipolar transistors having the general structure shown in Fig. 1. Claims 1, 3, 5, 9 and 10 read on all of the species, including that of Fig. 2. (See generally Specification at p.16, lines 9-29 for claims 3 and 5). Claim 7 is directed to the buried layer having two recesses of two widths, which is specifically illustrated in

Fig. 2.

Claim 6 has been withdrawn. Claim 6 claims an embodiment in which a second transistor does not have the recess, which is part of Species 3 and 4.

Claim 12 contains limitations directed at forming multiple devices, such as is shown in Figs. 2, 3 and 4. Claims 13-16 and 18-20 clearly read on the embodiment of Fig. 2. (See generally Specification at p.16, lines 9-29 for claims 13, 14; Fig. 2 and page 16, lines 2-7 for claims 16 and 18, and page14, lines 28-30 for claims 19-20). Thus, claims 12-16 and 18-20 read on Species 2.

Claim 17 has been withdrawn. Claim 17 claims an embodiment in which a second transistor does not have the recess, which is part of Species 3 and 4.

III. Conclusion

For all of the foregoing reasons, it is respectfully submitted that the elected invention is in a condition for prosecution on the merits. Favorable consideration and allowance of this application is, therefore, respectfully requested.

Respectfully submitted,

A handwritten signature in black ink, appearing to read 'H. C. Moore', written over a horizontal line.

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